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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,148	12/07/2005	Ulrich Bantle	VO-740	9460
42419	7590	09/04/2007	EXAMINER	
PAULEY PETERSEN & ERICKSON			GLUCHOWSKI, KRISTINA R	
2800 WEST HIGGINS ROAD			ART UNIT	
SUITE 365			PAPER NUMBER	
HOFFMAN ESTATES, IL 60195			3676	
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09/04/2007	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/560,148	BANTLE, ULRICH
	Examiner Kristina R. Gluchowski	Art Unit 3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 June 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 and 11-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 June 2007 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 6/14/07.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is in response to the amendment submitted 6/14/07.

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figure 1 is still illegible. It is impossible to decipher the different working parts of the invention. It is unclear where the leader lines point or how the parts work together. **Illustrations of the device in the different claimed positions should be submitted so the locking and unlocking action of the working parts is clear.** Because of the unclear drawings, the application is examined "as best understood" using the specification and claims. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. **Claims 1-5, 11-13, 17 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engler (US 6647753) in view of Goldman (US 5339662).**

5. Regarding claims 1 and 20-21 Engler shows a lock with a bolt (7, see figures 1 and 6) arranged in a lock housing (1), wherein the bolt can be shifted between an opened position and a closed position by a closing element (5), wherein in the closing position the closing element can be blocked by a blocking element (8b, 9, 10), and the blocking element is coupled with an armature (8a) of an electromagnet (8) and can be actuated by the armature. Engler fails to show a shield for the electromagnet. Goldman shows that it is well known in the art to provide a shield for the electromagnet in addition to the housing. Goldman shows a lock having an electromagnet (65) covered by shield (98) to protect the magnet. Although Goldman fails to specifically describe the material of the shield, it would be obvious to make the shield from a low-retentive magnetic material in order to avoid interference between the shield and the electromagnet. The examiner would like to note that the shield of Goldman is inherently capable of shielding the electromagnet from radiation acting external of the lock housing. Any type of covering of a magnet is considered to shield the magnet from external radiation. It is

well known in the magnet art to shield a magnet for protection. The examiner turns to Sedley (US 3995460) only to illustrate shielding magnets from external devices is commonly known in the art. Sedley, for example only, shows that the housing (or any shield) shields the magnet from external devices (see column 4, lines 49-52).

6. Regarding claim 2, Engler in view of Goldman, Engler shows the housing having a connecting side (left side of housing, figure 8) on which lock-operating elements (wires, 21) are arranged. Regarding the amended limitation including placement of the shield, it would have been obvious to one of ordinary skill in the art to place the shield of Goldman between the electromagnet and the connecting side of Engler in order to adequately protect the magnet.

7. Regarding claims 3, 11 and 19, Engler in view of Goldman, Engler shows the housing is closed by a cover (1a).

8. Regarding claims 4 and 12, Engler in view of Goldman, Goldman shows the shield as applied to claim 1 above but fails to mention the thickness of the material. The claimed thickness of "at least 0.8mm" is considered mere design choice. It would be obvious to one of ordinary skill in the art to make the shielding element greater than 0.8mm in order to provide a structure strong enough to protect the magnet.

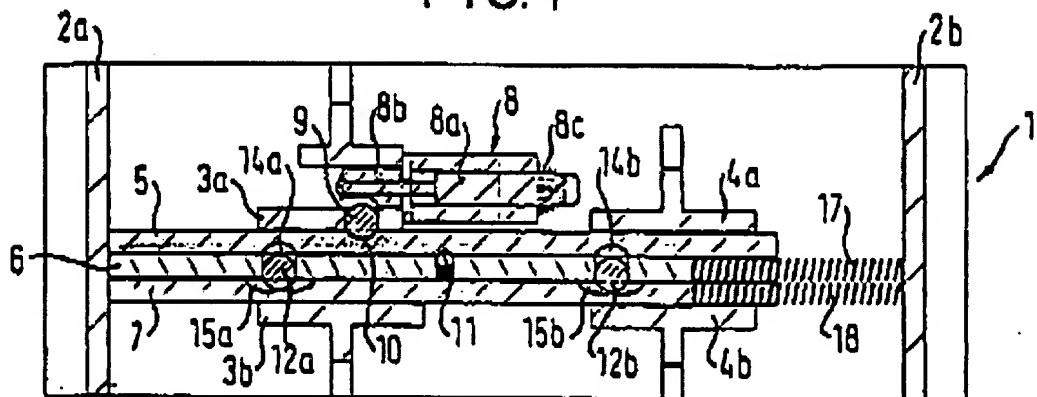
9. Regarding claims 5 and 13, Engler in view of Goldman, Goldman shows three different shields (each side of the U-shape is considered a shield). Although the shields are integral in this instance, they are separable and would function as 3 separate shields therefor, Engler in view of Goldman teaches the electromagnet supports a second shielding element (either side of 98).

10. Regarding claim 17, Engler and Goldman teach a lock housing, a bolt and an electromagnet as applied to claim 1 above. Goldman further shows a control device (control unit, 18) which can be adjusted by a keypad (38) assigned to the magnet in which code information is storable which in case of renewed input and after being checked by the stored code information is used for controlling the magnet. It would have been obvious to one of ordinary skill in the art to include a control device adjusted via keypad on the Engler device in order to provide a more user friendly and secure device.

11. **Claims 6-8, 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engler and Goldman as applied to the claims above, and further in view of Roth (US 6609738).**

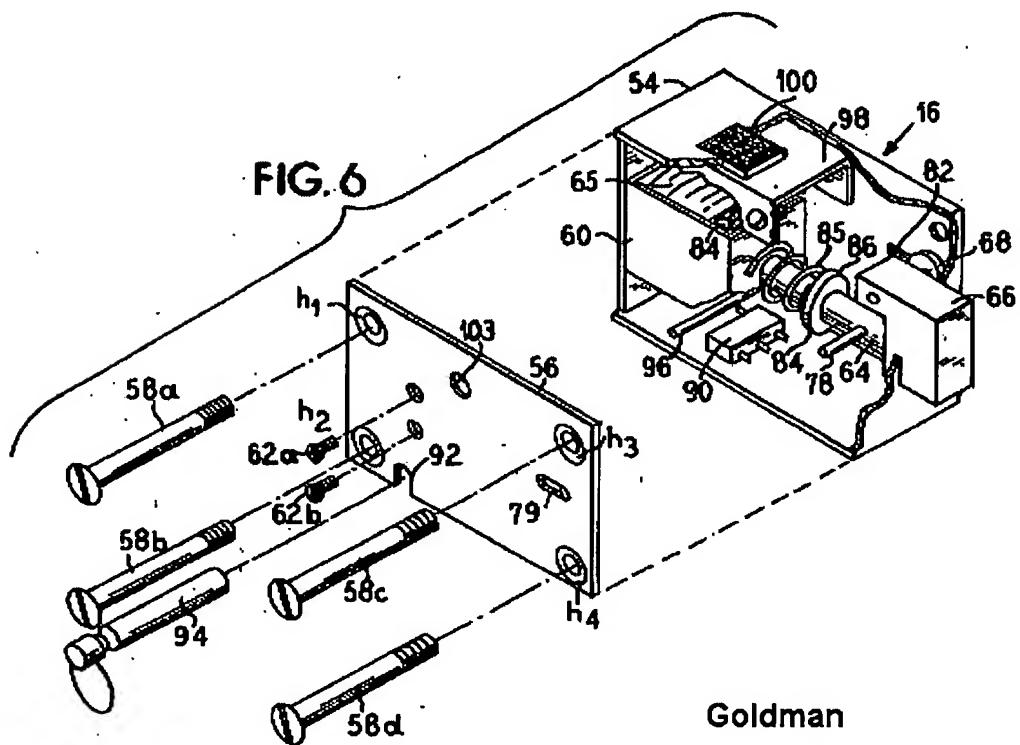
12. Regarding claims 6-8, 14-16, 18 Engler teaches a permanent magnet (column 5, line 14) that acts as a switching element. The permanent magnet is assigned to the armature and maintains the armature in the open state, a magnetic force is applied to the armature by electromagnet, which acts counter to a force of the permanent magnet, and a spring (8c) is assigned to the armature, which applies a closing force. Engler fails to teach that the permanent magnet activates a contactless switch specifically a reed contact. Roth shows that it is well known in the art to include reed contacts (column 6, line 34) in electromagnetic locks. It would have been obvious to one of ordinary skill in the art to include a reed switch in the Engler device in order to provide a more secure locking system. See the Engler and Goldman devices below.

FIG. 1



Engler

FIG. 6



Goldman

Response to Arguments

1. Applicant's arguments filed 6/14/07 have been fully considered but they are not persuasive. Regarding the argument that Goldman teaches a U-shaped channel and not a shield, the examiner respectfully disagrees. Goldman's U-shaped channel covers the magnet and therefore inherently shields the magnet. It is well known to shield magnets using an array of covers. See the rejection above for an example of magnet shielding in Sedley.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina R. Gluchowski whose telephone number is 571-

272-7376. The examiner can normally be reached on Monday-Friday, 7am-4:30pm, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on (571) 272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KRG *14*
August 28, 2007

JH Gay
JENNIFER H. GAY
SUPERVISORY PATENT EXAMINER